

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F058249      People v. Shockley**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

**F057983      People v. Brooks**

The judgment is reversed. The matter is remanded to the trial court with directions to hear and determine appellant's motion for new trial or for modification of the verdict in accordance with the views expressed in this opinion. If the trial court grants the motion for new trial, it shall proceed accordingly to retry appellant. If the trial court modifies the verdict, it shall enter the verdict and sentence appellant accordingly. If the trial court denies the motion, it shall reinstate the judgment and sentence. Ardaiz, P.J.

We concur: Cornell, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F058494      People v. Gilbert**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

**F058494      People v. Gilbert**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F059460      Piazza v. California Highway Patrol et al.**

The judgment is reversed. The trial court is directed to vacate its order sustaining the demurrer and to enter a new order overruling the demurrer.

Because Piazza has been granted a waiver of certain costs and fees related to this appeal, no costs are awarded on appeal. Dawson, J.

We concur: Cornell, Acting P.J.; Hill, J.

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**F057159      DeAtley v. City of Modesto et al.**

Appellant's petition for rehearing filed herein is denied.

**F059489      In re A.V., a Person Coming Under the Juvenile Court Law**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

**F060100      Baisden v. California Board of Accountancy**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.